REMARKS

1. Claims 1 and 32 have been amended to include the limitation of claim 3, and claim 3 cancelled as redundant.

2. New claims 40 to 47 are based on the disclosure of anti-estrogenic steroid agents.

New claims 40-43 are based on PCT claim 14

New claim 44 is based on page 12 lines 5 to 8.

Basis for new claim 45 can be found on page 10 lines 17 to 23 citing "Anti-estrogens are used as a therapy in the treatment of metastatic breast cancer and inhibit estrogen-induced proliferation through interaction with the estrogen receptor. One mechanism is by competitive inhibition of the estrogen receptor".

Basis for new claim 46 can be found on the following pages:

- page 10 lines 20 to 23 citing that "the anti-estrogens include estrogen receptor antagonists and SERM's
- page 11 lines 16 to 18 citing "SERM are compounds which competitively inhibits the binding of estrogen to one or more of the estrogen receptors"
- page 11 line 32 to page 12 line 3 citing "Since the estrogen receptors vary from tissue to tissue, the effects of SERM may also vary from one tissue to the next. We are concerned with the effect of SERM on breast cancer tissue, as well as with any side effects, desirable or undesirable, in any tissue"
- page 11 lines 21 to 23 citing "the SERM activate one or more of the estrogen receptors to which they bind".

Basis for new claim 47 can be found on the following pages:

- page 10 lines 17 to 23 citing "Anti-estrogens are used as a therapy in the treatment of metastatic breast cancer and inhibit estrogen-induced proliferation through interaction with the estrogen receptor. One mechanism is by competitive inhibition of the estrogen receptor, and hence the "antiestrogens" include

estrogen receptor antagonist"

- page 11 lines 21 to 26 citing "Unlike a pure estrogen receptor antagonist, the SERM activate one or more of the estrogen receptors to which they bind"
- page 12 lines 9 to 13 citing "It should be noted that a compound, especially a steroid, which initially appears to be a pure estrogen receptor antagonist may prove on closer examination to act as an agonist for some estrogen receptors, in which case it is reclassified as a SERM"
- page 11 lines 32 to 33 citing "Since the estrogen receptors vary from tissue to tissue...."

3. If the present species restriction to tamoxifen is maintained, new claims 41 and 45-47 will be examined, but 40 and 42-44 will not.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

By: _____
Iver P. Cooper
Reg. No. 28,005

624 Ninth Street, N.W.
Washington, D.C. 20001
Telephone: (202) 628-5197
Facsimile: (202) 737-3528
IPC:lms
G:\ipc\a-c\biom\Kehoe1A\ptopreamend2.wpd